

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN MILLER,

Plaintiff,

V.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 22-5790-RSM

ORDER TO SHOW CAUSE OR FILE ANSWER

Plaintiff's Complaint seeking review of the Commissioner's decision denying social security benefits was filed on November 15, 2022. Dkt. No. 3. The Clerk issued summonses that same day. Dkt. No. 4. Plaintiff filed proof of service on November 22, 2022. Dkt. No. 5. Plaintiff's affidavit of service does not state when he served the Commissioner, so the Court assumes he did so on the date he filed the proof of service.¹

Pursuant to Federal Rule of Civil Procedure 12(a)(2), the Commissioner was required to serve an answer to Plaintiff's complaint within 60 days after service, thus the Commissioner's answer was due by January 23, 2023. *See also* Fed. R. Civ. P. SUPP SS 4. To date, the Commissioner has not filed an answer or any response to the complaint.

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¹ Plaintiff included the date “11/15/2022” in the docket text accompanying his affidavit of service, but that date is not explained or included in the affidavit.

1 The Commissioner is hereby ordered to show cause why an answer was not timely filed,
2 or file an answer, on or before February 13, 2023.

3 DATED this 6th day of February, 2023.

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6 Ricardo S. Martinez
7 United States District Judge